IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 26391 of 2006(P)

PETITIONER:

MOHANAN.K.V., S/O.THAMI,
KOLLATHUVALAPPIL HOUSE, ANAKKARA VILLAGE,
OTTAPALAM TALUK, PALAKKAD DIST.

BY ADV. SRI.M.K.DILEEP KUMAR.

RESPONDENTS:
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1. **EXCISE INSPECTOR, OTTAPALAM RANGE,**
   PALAKKAD DIST.

2. **THE ASST. EXCISE COMMISSIONER,**
   PALAKKAD.

3. **STATE OF KERALA, REPD. BY SECRETARY,**
   EXCISE DEPARTMENT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SMT. M.K. PUSHPALATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.26391/2006-P:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PETITIONER'S LICENCE FOR RUNNING THE TODDY SHOP, BEARING NO.B-284 GRANTED BY THE R.2.

EXT.P.2: COPY OF THE CRIME AND OCCURRENCE REPORT NO. 29/2006 FILED BY THE R.1. IMPLICATING THE PETITIONER FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 56 (B) AND 58 OF THE ABKARI ACT.

EXT.P.3: COPY OF THE MAHAZAR DT. 29/08/2006 PREPARED BY THE R.1, PERTAINING TO THE TODDY SHOP OF THE PETITIONER.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

prv.

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.26391 of 2006-P

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Dated this the 23rd day of November, 2007.

JUDGMENT

1.None appears for the petitioner.

2.On 17-10-2006, this Court declined to pass any interim orders as sought for by the petitioner and concluded on the materials on record that the impugned decisions are not vitiated.

3.A counter affidavit by the first respondent is on record.

4.It is explicit that the order for closure of the shops is sustainable. I find no ground to interfere with the impugned orders. The views expressed in the order dated 17-10-2007 are adopted and the writ petition is dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/